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FILE ONLY

WASHINGTON (AP) _ CIA Director William Casey's threat to seek prosecution of five newspapers and magazines would distort the use of a federal law that was never intended to muzzle the press, say several constitutional rights groups and news organizations.

Floyd Abrams, a New York attorney known for his First Amendment cases, said Wednesday that the law Casey mentioned in a meeting with two Washington Post editors last Friday "has never been used to prosecute a news organization."

The Reagan administration is "clearly trying to establish the notion that we have an official secrets act and that they can threaten the press to keep them from publishing," said Morton Halperin, director of the Washington legislative office of the American Civil Liberties Union.

Halperin said the law was intended to stop press leaks by prosecuting the leakers, not news organizations.

Any prosecutions stemming from Casey's complaints likely would be sought under a 1950 law making it a crime to willfully disclose classified information about codes, ciphers or U.S. intelligence activities.

At a meeting last Friday at the Post, Casey complained about reporting by the Post, The New York Times, The Washington Times, and Time and Newsweek magazines. Several of the publications have run stories on U.S. interceptions of Libyan communications.

Casey also wants to avert the publication by the Post of material concerning the Ronald Pelton spy case, according to Justice Department officials, speaking on condition that they not be identified.

Abrams said it would be a "major turnabout in American history for a journalist to be prosecuted for furnishing truthful information in news articles."

"Judging by press accounts, Director Casey is upset by leaks on the

Libyan terrorism story," a Newsweek statement said. "We would suggest that the problem lies with administration officials who have been feeding sensitive information to the press for political purposes."

At the Justice Department, no formal investigation has been launched into the press leaks, which Casey complained about in a meeting last Friday with deputy attorney general Lowell Jensen.

Two department officials, speaking on condition that they not be identified by name, said it is highly questionable whether a move toward prosecution would actually be made against the Post and other publications.

They said, however, that the matter is under review by top department officials and that the vigor with which Casey's complaints are pursued will depend on the attitude of Attorney General Edwin Meese, a long-time friend and political ally of Casey.

"I hope at this point the notion is Mr. Casey's and not the Department's," said Jane Kirtley, executive director of the Reporters Committee for Freedom of the Press. "My hope is the Justice Department will persuade Mr. Casey this is not the way to go."